



Entered on Docket
July 24, 2009

A handwritten signature in cursive script, reading "Bruce A. Markell".

Hon. Bruce A. Markell
United States Bankruptcy Judge

WILDE & ASSOCIATES
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Wells Fargo Bank, NA dba Americas Servicing Company successor by merger to Wells Fargo Home Mortgage, Inc.

09-72638 / 1205155016

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In Re:

Heather M. Puglisi

Debtors.

BK-S-08-14829-bam

MS Motion No.

Date:

Time:

Chapter 13

ORDER RE ADEQUATE PROTECTION

Secured Creditor's Motion for Relief from the Automatic Stay having come on for hearing in the above-entitled Court, all appearances as noted on court record, and based upon all the papers and pleadings on file herein and good cause appearing therefor.

IT IS HEREBY ORDERED, ADJUDGED and DECREED that the debtor will cure the post-petition arrearages currently due as follows:

3 Late Charges at \$33.29 each (March 16, 2009-May 16, 2009)	\$ 99.87
Motion Filing Fee	\$ 150.00
Attorneys Fees	\$ 750.00
Less post petition suspense	<u>-(\$ 328.94)</u>
	\$ 670.93

The above arrearage shall be paid in six (6) monthly installments of \$111.82. These payments shall be in addition to the regular monthly payment and shall be due on or before the 20th day of the month commencing with the July 20, 2009 payment and continuing throughout and concluding on or before December 20, 2009.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give Debtors at least five business days' notice of the time, place and date of sale.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Debtor shall resume and maintain the regular monthly payments in a timely fashion, outside of any Bankruptcy Plan, beginning with the July 1, 2009 payment, on Secured Creditor's Trust obligation, encumbering the subject Property, generally described as 9303 Gilcrease Avenue 1194, Las Vegas, NV 89149, and legally described as follows:

PARCEL ONE (1)
AN UNDIVIDED 1172 INTEREST AS TENANT IN COMMON IN AND TO THE FINAL MAP OF AVENTINE/BARADA UNIT 2B, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 113 OF PLATS, PAGE 11, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

EXCEPTING THEREFROM THE FOLLOWING, ALL UNITS IN ALL RESIDENTIAL BUILDINGS AND DESIGNATED EXCLUSIVE USE EASEMENTS AS SHOWN ON THE CONDOMINIUM PLAT REFERRED TO ABOVE.

1 AND RESERVING THEREFROM, THE RIGHT TO POSSESSION OF ALL THOSE AREAS
2 DESIGNATED AS EXCLUSIVE USE EASEMENTS SHOWN UPON THE
3 PLAT REFERRED TO ABOVE.

4 AND FURTHER RESERVING THEREFROM FOR THE BENEFIT OF OWNERS IN
5 FUTURE DEVELOPMENT, NON-EXCLUSIVE EASEMENTS IN, TO AND OVER THE COMMON
6 AREA AS DEFINED AND SHOWN UPON THE CONDOMINIUM PLAT REFERRED TO ABOVE,
7 FOR INGRESS, EGRESS AND ENJOYMENT, SUBJECT TO THE TERMS AND MORE P
8 PARTICULARLY SET FORTH IN THE DECLARATION OF COVENANTS, CONDITIONS AND
9 RESTRICTIONS AND RESERVATION OF EASEMENTS FOR AVENTINE-TRAMONTI
10 HOMEOWNERS ASSOCIATION, RECORDED OCTOBER 28, 2003 IN BOOK 20031028 AS
11 DOCUMENT NO. 00649, AS THE SAME MAY FROM TIME TO TIME BE AMENDED AND/OR
12 SUPPLEMENTED OF OFFICIAL RECORDS, EXCEPTING FROM THE COMMON AREA, ANY
13 RESIDENTIAL BUILDINGS THEREFROM AND ANY PORTION THEREOF WHICH IS
14 DESIGNATED AS EXCLUSIVE USE EASEMENTS.

15 PARCEL TWO (2):

16 LIVING UNIT 1194 IN BUILDING 62 AND GARAGE APPURTENANT THERETO OF THE FINAL
17 MAP OF A VENTINE/BARADA UNIT 2B, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 113
18 OF PLATS, PAGE 11, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY,
19 NEVADA.

20 PARCEL THREE (3):

21 THE EXCLUSIVE RIGHT TO USE, POSSESSION AND OCCUPANCY OF THOSE PORTIONS OF
22 PARCEL ONE (1) DESCRIBED ABOVE AS LIMITED COMMON ELEMENTS OF THE
23 CONDOMINIUM SUBDIVISION REFERRED TO ABOVE, WHICH RIGHT IS APPURTENANT TO
24 PARCELS ONE (1) AND TWO (2) ABOVE DESCRIBED.

25 PARCEL FOUR (4):

26 A NON-EXCLUSIVE EASEMENT OF ACCESS, INGRESS, EGRESS, USE AND EMPLOYMENT
27 OF, IN, TO AND OVER THE COMMON ELEMENTS OF THE FINAL MAP OF A
28 VENTINE/BARADA UNIT 2B, ON FILE IN BOOK 113 OF PLATS, PAGE 11, IN THE OFFICE OF
29 THE COUNTY RECORDER OF CLARK COUNTY, NEVADA, AND FUTURE UNITS, WHICH
30 EASEMENT IS APPURTENANT TO PARCELS ONE (1) AND TWO (2) DESCRIBED ABOVE.

31 IT IS FURTHER ORDERED, ADJUDGED and DECREED that if the Debtors fail to make any
32 payments as stated in this Order, or fail to maintain the regular monthly payments on Secured Creditor's
33 Trust Deed obligation, allowing the normal grace period, then Secured Creditor may file and serve upon
34 Debtors and Debtors' counsel, a fifteen (15) Day Notice Declaration Re Breach of Condition. For each
35 such Declaration Re Breach of Condition filed, there shall be assessed an attorney fees of \$100.00, to be
36 paid by the Debtors upon any reinstatement. If upon the sixteenth (16th) day Debtors have failed to cure
37 the delinquency, then Secured Creditor may submit to this Court an Order vacating the automatic stay as to
38 Secured Creditor, and Secured Creditor may thereafter proceed with foreclosure proceedings upon the

subject Property, pursuant to applicable State Law, and take any action necessary to obtain complete possession thereof.

Submitted by:

WILDE & ASSOCIATES

By 

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APPROVED AS TO FORM & CONTENT:

Rick A. Yamall

By  7-7-09

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Frank J. Sorrentino

By 

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